

# **RESOLUTION 1671**

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, DECLARING AN EMERGENCY, WAIVING BIDDING REQUIREMENTS, AND AUTHORIZING THE AWARDED OF A CONSTRUCTION CONTRACT TO MAKE EMERGENCY IMPROVEMENTS TO NE 12<sup>TH</sup> STREET**

**WHEREAS**, the City of North Bend is responsible for reasonably safe road conditions on NE 12<sup>th</sup> Street; and

**WHEREAS**, one segment of NE 12<sup>th</sup> Street recently experienced significant pavement damage from a large storm event and its condition resulted in a motor vehicle travel lane of only 5.5-feet in width on a minor arterial street, which condition constitutes an immediate threat to the public health and safety; and

**WHEREAS**, The Blueline Group's (a local civil engineering firm) civil engineers and the North Bend Public Works Director have advised the City Council that it must proceed as quickly as possible with certain repairs to one segment of NE 12<sup>th</sup> Street to mitigate for such life-safety concerns; and

**WHEREAS**, to address the immediate threats to the public health and safety caused by the street degradation, the City asked Blueline to promptly design an Emergency Repair Plan (the "Improvements"). The improvements include:

1. Sawcutting and removing several hundred feet of degraded pavement on the westbound lane of NE 12<sup>th</sup> Street, and re-constructing the westbound lane with compacted crushed rock base course and hot mix asphalt; and
2. Sloping the new road and new shoulder so that stormwater runoff is able to sheet flow away from the road and into a newly relocated roadside drainage ditch that connects to three new culverts.

**WHEREAS**, RCW 39.04.280 specifically authorizes the North Bend City Council to waive competitive bidding requirements "in the event of an emergency"; and

**WHEREAS**, in order to avoid adverse environmental impacts; in order to remain in compliance with all applicable laws, including the City's NPDES Permit and Washington State Department of Ecology regulations; and in order to protect the public health, safety, and welfare of the people and motoring public, the City must take immediate action to proceed with the Improvements;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1. Emergency Finding.** The North Bend City Council hereby finds that the street damage that has occurred at NE 12<sup>th</sup> Street is the result of unforeseen circumstances beyond the control of the City that present both a real and immediate threat to public safety and public welfare. The City Council accordingly declares that an emergency exists related to NE 12<sup>th</sup> Street, which emergency can be cured by construction of the Improvements. The foregoing “Whereas” clauses shall constitute additional North Bend City Council findings related to this declaration of emergency.

**Section 2. Waiver of Bidding Requirements and Contract Awards.** As a result of the emergency declared in Section 1 of this Resolution, the North Bend City Council hereby waives all bidding requirements as authorized by Chapter 39.04 RCW, awards the contracts to the entities listed below in a form and with content approved by the City Attorney, and authorizes the Mayor to enter into said contracts:

Item	Summary Description of Equipment/Construction Elements	Contractor	Price w/o Bond
1.	Road repairs including pavement removal / replacement, excavation, grading, shoulder replacement, drainage ditching, culvert installations, backfill street re-channelization.	Pro Grade Enterprises, Maple Valley, WA	\$58,671.00

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6<sup>TH</sup> DAY OF JANUARY, 2015.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: January 6, 2015

Posted: January 7, 2015

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**Susie Oppedal, City Clerk**